

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Melissa A. Farley,)	Civil Action No.: 4:15-cv-02450-RBH-KDW
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Goodwill Industries of Lower South)	
Carolina, Inc. and Anne Hanzel,)	
)	
Defendants.)	
)	

Plaintiff Melissa A. Farley filed this employment action against the two above-named Defendants—Goodwill Industries of Lower South Carolina, Inc. (“Goodwill”) and Anne Hanzel—in the Court of Common Pleas for Horry County, South Carolina. *See* ECF No. 1. The lawsuit arose from Defendants’ alleged wrongful termination of Plaintiff’s employment. *Id.* Defendants removed the case to this Court and filed a motion to dismiss or, alternatively, for summary judgment. *See* ECF Nos. 1 & 6. The matter is before the Court for review of the Report and Recommendation (“R & R”) of United States Magistrate Judge Kaymani D. West, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina.¹ *See* R & R, ECF No. 29. The Magistrate Judge recommends the Court deny Defendants’ motion as to Goodwill but grant it as to Hanzel. *Id.* at 2, 28.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court must conduct a de novo review of those portions of the R & R to which specific objections are made, and it may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions.

¹ The R & R sets forth in detail the relevant facts and legal standards for this case.

28 U.S.C. § 636(b)(1).

No party has filed objections to the R & R. In the absence of objections to the R & R, the Court is not required to give any explanation for adopting the Magistrate Judge's recommendations. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation'" (quoting Fed. R. Civ. P. 72 advisory committee's note)).

After a thorough review of the record in this case, the Court finds no clear error. Accordingly, the Court adopts and incorporates by reference the R & R [ECF No. 29] of the Magistrate Judge. It is therefore **ORDERED** that Defendants' motion to dismiss or, alternatively, for summary judgment [ECF No. 6] is **DENIED** as to Defendant Goodwill and **GRANTED** as to Defendant Hanzel.

IT IS SO ORDERED.

Florence, South Carolina
February 2, 2016

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge